

REMARKS

Claims 1 – 25 are pending in the present application. Claims 22 – 25 are withdrawn from consideration. Claims 1 – 21 stand rejected.

Rejection under 35 U.S.C. §102 and 103

The Examiner has rejected claim 1 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,222,444 to Youell, et al. This rejection is respectfully traversed and reconsideration is requested. The Examiner has also rejected claims 2 - 21 under 35 U.S.C. §103(a) as being unpatentable over Youell, et al., in view of WO 82/00987. Applicant respectfully traverses this rejection and requests reconsideration of this rejection as well.

Initially applicant requests reconsideration of WO 82/00987 as an applicable reference. One of the main, if the main, features of the instant invention as claimed is convertibility of the pallet back and forth from a relatively “flat” to a relatively “erect” position. The structure of WO 82/00987 is believed incapable of such “convertibility”, according to the text of WO 82/00987. Specifically, the first full paragraph on page two of the specification of that application as published states: “The construction and arrangement of the top and side flaps at each end of the collapsed container enables the completer assembly of a hexahedral container *by simply expanding the collapsed rectangular tube, the locking steps at each end wall will engage with each other if an attempt is made to reverse the assembly process.* Thus it is clear from the text of WO 82/00987 that once the container of that disclosure is assembled, the locking steps at each end with engage and preclude any attempt to reverse the assembly process. Accordingly the WO 82/00987 structure is incapable of the convertibility function that is claimed for the instant invention and actually teaches away from such convertibility. For that reason, applicants submit that adding WO 82/00987 as a reference actually emphasizes the unobviousness of the instant invention as claimed.

As respecting the '444 U.S. patent reference, that reference does not appear to disclose a pallet having pockets formed from a part thereof, with the pockets are formed of parts of the side flaps and receive side flap parts of adjacent portions of the pallet to effectuate the assembly of the pallet in either a flat or an upright form, as do the pockets formed by tabs 12 and 23 when those tabs are folded oppositely from the side walls 11 and 22 of which tabs 12 and 23 form a part.

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Conclusion

Based on the Amendments and Remarks above, Applicant respectfully requests allowance of all pending claims.

Respectfully submitted,
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